

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MARLO LIZA RUSCH,

Plaintiff,

v.

Case No.: 6:23-cv-908-DNF

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

OPINION AND ORDER

This matter is before the Court on the Unopposed Motion for Entry of Judgment with Remand. (Doc. 18). The parties consented to proceed before a Magistrate Judge for all proceedings. (Doc. 14). The Commissioner of Social Security requests this Court remand this case to the Commissioner for these reasons:

to further evaluate medical improvement in accordance with the remand orders of the District Court and Appeals Council; in so doing, the ALJ should obtain, consider, and compare the medical evidence from the comparison point decision (CPD) with the medical evidence currently in the file and include the medical evidence from the CPD in the exhibit list and in the file; take any additional action necessary to complete the administrative record; offer the claimant an opportunity for a hearing; and issue a new decision.

(Doc. 18). Plaintiff does not oppose the relief requested. Thus, the Court will grant the motion.

Accordingly, it is **ORDERED**:

(1) The Unopposed Motion for Entry of Judgment With Remand (Doc. 18) is **GRANTED**.

(2) Pursuant to sentence four of 42 U.S.C. § 405(g), the decision of the Commissioner is reversed, and this case is remanded to the Commissioner for further administrative proceedings as set forth above.

(3) The Clerk of Court is directed to enter judgment, terminate any pending motions and deadlines, and close the file.

DONE and ORDERED in Fort Myers, Florida on September 5, 2023.



DOUGLAS N. FRAZIER
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties